

Appl No. 10/828,450
Amdt. dated August 30, 2005
Reply to Office Action of August 5, 2005

REMARKS/ARGUMENTS

Claim 2, and 4-9, as amended, are currently in the application. Claims 1 and 3 have been cancelled. Matter that was in claim 1 is now included in claim 9.

Claims 2 and 4-9 are rejected under 35 U.S.C. 112, first paragraph, as calling for a sighting fin having a general shape of a fin of a fish and further having a bottom edge that extends along a centerline of the body. This was deemed to be new matter. Language detailing the metal body being symmetrical about a centerline between a heel and a toe of the body was also deemed to be new matter.

Claim 9 has been amended to call for "a sighting fin that extends along the centerline of the body..." Additionally, claim 9 has been amended to delete "a bottom edge that extends along the centerline..." because it is not germane to allowability of claims. In accordance with the office action, all mention of a fin of a fish has been removed.

Page 4, lines 19 and 20 state that the "...face 14 has a symmetric curvilinear shape between a heel 22 and a toe 24 of the body 12." thereby providing an antecedent basis for reference to the heel and toe of the body in claims of the application.

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Accordingly, claims 2 (amended) and claims 4-9 as amended are allowable over the ground of rejection.

Claims 2 and 4-9 are rejected under 35 U.S.C. 112, second paragraph because claim 9 allegedly makes an erroneous statement "that a bottom edge of a fin extends along a centerline of the body to a location rearward of the body..." The statement is accurate (see fig. 4) but unnecessary; reference to the bottom edge has been removed by amendment.

Claims 2,4,5 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benson in view of McCabe, Micciche and Hockerson. The final rejection states that "...Benson shows every feature claimed except for a plate fixedly connected to the front face..." Benson discloses a putter having cavity wherein a centrally located block is affixed. A dark line along the putter's center of gravity extends over the block. A light colored line borders the dark line.

The block is connected to a strip of tape on the bottom of the cavity. The tape and ends of the block are of contrasting colors. Edges of the tape are on opposite sides of the center of gravity and equidistant therefrom. However, when a golfer who is not properly positioned looks down upon the block, the golfer sees a dark end of the block and a difference in distances

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between the dark line and edges of the tape. From the description given hereinbefore, Benson does not disclose a sighting fin.

Unlike Benson, claim 9 (amended) calls for "a sighting fin having a bottom edge that extends along the centerline of the body to a location rearward of the body from a region of a boundary between said plate and the body where the fin forms a pointer..." This is best illustrated in amended fig. 4 of the application wherein a bottom edge 39 of the fin 34 extends rearward of a rear wall 28.

Macabe is similar to Benson in its mode of operation. Macabe, like Benson, is not a sighting fin. Moreover, although Macabe discloses a device having a portion that protrudes to the rear of the body of a putter as in figure 4, this feature is not regarded as germane to patentability. Thus, claim 9 (amended) is allowable over the art of record.

Claim 2(amended) discloses that a striking surface of applicant's club is a hard rubber plate. Hockerson and Micciche are said to provide several striking surfaces that are hard. Although Hockerson and Micciche may disclose the hard rubber plate, claim 2(amended) depends from claim 9(amended) which has been shown to be allowable. Therefore, claim 2(amended) is

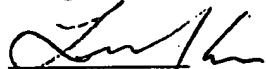
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allowable.

Claims 4-8, as amended, have been rejected as unpatentable over the cited art of record. However, these claims depend from claim 9(amended) which has been shown to be allowable. Since claims 4-7, as amended depend from claim 9 and claim 8 depends from claim 7 (amended), claims 4-8 are also allowable.

Since claims 2(amended) and claims 4-9 as amended, have been shown to be allowable, reexamination of claims 2(amended) and claims 4-9, as amended, and an early allowance thereof is hereby requested.

Respectfully submitted,



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